

By the Committee on Transportation and Representatives
Futch, Ball, Posey, Goode and Effman

1 A bill to be entitled
2 An act relating to the Florida Space
3 Transportation Planning Act; providing a short
4 title; amending s. 330.30, F.S.; exempting
5 certain spaceports from a provision of law
6 relating to the approval of airport sites and
7 the licensing of airports; amending s. 331.303,
8 F.S.; revising definitions with respect to the
9 Spaceport Florida Authority Act; amending s.
10 331.304, F.S.; revising the boundaries of
11 spaceport territory; amending s. 331.305, F.S.;
12 revising language with respect to the powers of
13 the Spaceport Florida Authority; amending s.
14 331.308, F.S.; revising language with respect
15 to the board of supervisors; amending s.
16 331.329, F.S.; revising language with respect
17 to changing boundary lines for spaceports;
18 amending s. 331.331, F.S.; removing a
19 limitation on the issuance of certain revenue
20 bonds; amending s. 331.360, F.S.; providing for
21 the development of a spaceport master plan;
22 amending s. 332.001, F.S.; directing the
23 Department of Transportation to promote and
24 develop aerospace transportation facilities;
25 amending s. 332.004, F.S.; providing
26 definitions; amending s. 332.006, F.S.;
27 providing for the duties and responsibilities
28 of the Department of Transportation with
29 respect to aerospace development; amending s.
30 332.007, F.S.; providing for the administration
31 and financing of aerospace programs and

1 projects; creating s. 332.009, F.S.; providing
2 limitation on the application of chapter 332,
3 F.S.; amending s. 334.03, F.S.; redefining the
4 term "transportation facility"; amending s.
5 339.155, F.S.; revising a provision of law
6 governing transportation planning to include
7 reference to spaceport master plans; amending
8 s. 339.175, F.S.; including reference to
9 spaceports and aerospace development with
10 respect to metropolitan planning organizations;
11 amending s. 196.012, F.S.; including reference
12 to spaceports; amending s. 334.27, F.S.;
13 including reference to the Florida Spaceport
14 Authority; providing an effective date.

15
16 Be It Enacted by the Legislature of the State of Florida:

17
18 Section 1. Short title--This act may be cited as the
19 "Florida Space Transportation Planning Act."

20 Section 2. Paragraph (g) is added to subsection (3) of
21 section 330.30, Florida Statutes, 1998 Supplement, to read:

22 330.30 Approval of airport sites and licensing of
23 airports; fees.--

24 (3) EXEMPTIONS.--The provisions of this section do not
25 apply to:

26 (g) A spaceport as defined in s. 331.303(19) that has
27 been licensed by the Federal Aviation Administration.

28 Section 3. Subsection (16) of section 331.303, Florida
29 Statutes, is amended to read:

30 331.303 Definitions.--
31

1 (16) "Project" means any development, improvement,
2 property, launch, utility, facility, system, works, road,
3 sidewalk, enterprise, service, or convenience, which may
4 include coordination with Enterprise Florida, Inc.~~the Florida~~
5 ~~High Technology and Industry Council~~, the Board of Regents,
6 the Florida Space Institute, and the Florida Space Grant
7 Consortium ~~Space Research Foundation~~; any rocket, capsule,
8 module, launch facility, assembly facility, operations or
9 control facility, tracking facility, administrative facility,
10 or any other type of space-related transportation vehicle,
11 station, or facility; any type of equipment or instrument to
12 be used or useful in connection with any of the foregoing; any
13 type of intellectual property and intellectual property
14 protection in connection with any of the foregoing including,
15 without limitation, any patent, copyright, trademark, and
16 service mark for, among other things, computer software; any
17 water, wastewater, gas, or electric utility system, plant, or
18 distribution or collection system; any small business
19 incubator initiative, including any startup aerospace company,
20 research and development company, research and development
21 facility, storage facility, and consulting service; or any
22 tourism initiative, including any space experience attraction,
23 space-launch-related activity, and space museum sponsored or
24 promoted by the authority.

25 Section 4. Section 331.304, Florida Statutes, is
26 amended to read:

27 331.304 Spaceport territory.--The following property
28 shall constitute spaceport territory:

29 (1) Certain real property located in Brevard County
30 that is included within the 1998 boundaries of Patrick Air
31

1 Force Base, Cape Canaveral Air Station, John F. Kennedy Space
2 Center with the following boundaries:

- 3 ~~(a) Northern boundary--Latitude 28°32'30" North.~~
4 ~~(b) Eastern boundary--The mean high water line of the~~
5 ~~shore along the Atlantic Ocean.~~
6 ~~(c) Western boundary--Cape Road (State Road 401).~~
7 ~~(d) Southern boundary--Latitude 28°26' North.~~

8 (2) Certain real property located in Gulf County with
9 the following boundaries:

- 10 (a) Northern boundary--Latitude 29°40'45" North from
11 longitude 85°20' West in a westerly direction to the mean high
12 water line of the Gulf of Mexico.
13 (b) Eastern boundary--Longitude 85°20' West.
14 (c) Western boundary--The mean high water line of the
15 shore along the Gulf of Mexico.
16 (d) Southern boundary--The mean high water line of the
17 shore along the Gulf of Mexico.

18 (3) Certain real property located in Santa Rosa,
19 Okaloosa, and Walton Counties that is included within the 1997
20 boundaries of Eglin Air Force Base.

21 (4) Certain real property within Dade County that is
22 included within the 1997 boundaries of the Homestead Air
23 Reserve Base.

24 Section 5. Subsections (1), (4), (12), (21), and (24)
25 of section 331.305, Florida Statutes, are amended to read:

26 331.305 Powers of the authority.--The authority shall
27 have the power to:

28 (1) Exercise all powers granted to corporations under
29 the Florida Business General Corporation Act, chapter 607.

30 (4) Review and make recommendations with respect to a
31 strategy to guide and facilitate the future of space-related

1 educational and commercial development. The authority shall
2 in coordination with the Federal Government, private industry,
3 and Florida universities develop a business plan which shall
4 address the expansion of Spaceport Florida locations, space
5 launch capacity, spaceport projects, and complementary
6 activities, which shall include, but not be limited to, a
7 detailed analysis of:

- 8 (a) The authority and the commercial space industry.
- 9 (b) Products, services description--potential,
10 technologies, skills.
- 11 (c) Market research and evaluation--customers,
12 competition, economics.
- 13 (d) Marketing plan and strategy.
- 14 (e) Design and development plan--tasks, difficulties,
15 costs.
- 16 (f) Manufacturing locations, facilities, and
17 operations plan.
- 18 (g) Management organization--roles and
19 responsibilities.
- 20 (h) Overall schedule (monthly).
- 21 (i) Important risks, assumptions, and problems.
- 22 (j) Community impact--economic, human development,
23 community development.
- 24 (k) Financial plan (monthly for first year; quarterly
25 for next 3 years).
- 26 (l) Proposed authority offering--financing,
27 capitalization, use of funds.

28
29 ~~A final report containing the recommendations and business~~
30 ~~plan of the authority shall be completed and submitted prior~~
31 ~~to the 1990 Regular Session of the Legislature, along with any~~

1 ~~proposed statutory changes and related legislative budget~~
2 ~~requests required to implement the business plan, to the~~
3 ~~Governor, the President of the Senate, the Speaker of the~~
4 ~~House of Representatives, the minority leader of the Senate,~~
5 ~~and the minority leader of the House of Representatives.~~

6 (12) Own, acquire, construct, reconstruct, equip,
7 operate, maintain, extend, and improve electric power plants,
8 transmission lines and related facilities, gas mains and
9 facilities of any nature for the production or distribution of
10 natural gas, transmission lines and related facilities and
11 plants and facilities for the generation and transmission of
12 power through traditional and new and experimental sources of
13 power and energy; purchase electric power, natural gas, and
14 other sources of power for distribution within any spaceport
15 territory; develop and operate water and sewer systems and
16 waste collection and disposal consistent with chapter 88-130,
17 Laws of Florida; and develop and operate such new and
18 experimental public utilities, including, but not limited to,
19 centrally distributed heating and air-conditioning facilities
20 and services, closed-circuit television systems, and computer
21 services and facilities, as the board may from time to time
22 determine. ~~However, the authority shall not construct any~~
23 ~~system, work, project, or utility authorized to be constructed~~
24 ~~under this paragraph in the event that a system, work,~~
25 ~~project, or utility of a similar character is being actually~~
26 ~~operated by a municipality or private company in the~~
27 ~~municipality or territory adjacent thereto, unless such~~
28 ~~municipality or private company consents to such construction.~~

29 (21) Issue revenue bonds, assessment bonds, or any
30 other bonds or obligations authorized by the provisions of
31 this act or any other law, or any combination of the

1 foregoing, and pay all or part of the cost of the acquisition,
2 construction, reconstruction, extension, repair, improvement,
3 or maintenance of any project or combination of projects,
4 including payloads and space flight hardware, and equipment
5 for research, development, and educational activities, to
6 provide for any facility, service, or other activity of the
7 authority, and provide for the retirement or refunding of any
8 bonds or obligations of the authority, or for any combination
9 of the foregoing purposes. ~~Until December 31, 1994, bonds,~~
10 ~~other than conduit bonds, issued under the authority contained~~
11 ~~in this act shall not exceed a total of \$500 million and must~~
12 ~~first be approved by a majority of the members of the Governor~~
13 ~~and Cabinet.~~ The authority must provide 14 days' notice to
14 the presiding officers and appropriations chairs of both
15 houses of the Legislature prior to presenting a bond proposal
16 to the Governor and Cabinet. If either presiding officer or
17 appropriations chair objects to the bonding proposal within
18 the 14-day-notice period, the bond issuance may be approved
19 only by a vote of two-thirds of the members of the Governor
20 and Cabinet.

21 (24) Exercise the right and power of eminent domain ~~in~~
22 ~~spaceport territory as defined in s. 331.304.~~ In exercising
23 such power, the authority shall comply with the procedures and
24 requirements of chapters 73 and 74.

25 Section 6. Section 331.308, Florida Statutes, is
26 amended to read:

27 331.308 Board of supervisors.--

28 (1) There is created within the Spaceport Florida
29 Authority a board of supervisors consisting of seven regular
30 members, who shall be appointed by the Governor, ~~and two ex~~
31 ~~officio voting members, one of whom shall be a state senator~~

1 ~~selected by the President of the Senate and one of whom shall~~
2 ~~be a state representative selected by the Speaker of the House~~
3 ~~of Representatives, all of whom shall be subject to~~
4 confirmation by the Senate at the next regular session of the
5 Legislature. Each of the regular board members must be a
6 resident of the state and must have experience in the
7 aerospace or commercial space industry or in finance or have
8 other significant relevant experience. One regular member
9 shall represent organized labor interests and one regular
10 member shall represent minority interests. In addition to the
11 regular members, there shall be two ex officio voting members,
12 one of whom shall be a member of the Senate, appointed by the
13 President of the Senate, and one of whom shall be a member of
14 the House of Representatives, appointed by the Speaker of the
15 House of Representatives.

16 (2) ~~Initially, the Governor shall appoint four regular~~
17 ~~members for terms of 3 years or until successors are appointed~~
18 ~~and qualified and three regular members for terms of 4 years~~
19 ~~or until successors are appointed and qualified. Thereafter,~~
20 Each regular such member shall serve a term of 4 years or
21 until a successor is appointed and qualified. The term of
22 each such member shall be construed to commence on the date of
23 appointment and to terminate on June 30 of the year of the end
24 of the term. ~~The terms for such members initially appointed~~
25 ~~shall be construed to include the time between initial~~
26 ~~appointment and June 30, 1992, for those appointed for 3-year~~
27 ~~terms, and June 30, 1993, for those appointed for 4-year~~
28 ~~terms. No such member shall be allowed to serve an initial~~
29 ~~3-year term or fill any vacancy for the remainder of a term~~
30 ~~for less than 4 years.~~ Appointment to the board does shall not
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1 preclude a ~~any such~~ member from holding any other private or
2 public position.

3 (3) The ex officio nonvoting members shall serve on
4 the board for 2-year terms.

5 (4) Any vacancy on the board shall be filled for the
6 balance of the unexpired term.

7 ~~(5) Initial appointments shall be made no later than~~
8 ~~60 days after this act takes effect.~~

9 ~~(5)(6) The board shall hold its initial meeting no~~
10 ~~later than 20 days after the members have been appointed. At~~
11 ~~its initial meeting, or as soon thereafter as is practicable,~~
12 The board shall appoint an executive director. Meetings shall
13 be held quarterly or more frequently at the call of the chair.
14 A majority of the regular members of the board shall
15 constitute a quorum, and a majority vote of such members
16 present is necessary for any action taken by the board.

17 ~~(6)(7) The Governor may has the authority to remove~~
18 from the board any regular member in the manner and for cause
19 as defined by the laws of this state and applicable to
20 situations that ~~which may~~ arise before the board. Unless
21 excused by the chair of the board, a regular member's absence
22 from two or more consecutive board meetings creates a vacancy
23 in the office to which the member was appointed.

24 Section 7. Subsections (3) and (4) of section 331.329,
25 Florida Statutes, are amended to read:

26 331.329 Changing boundary lines; annexation and
27 exclusion of lands; creation of municipalities within the
28 geographical limits of any spaceport territory; limitations on
29 the furnishing of services within annexed areas.--

30 ~~(3) In the event that the geographical limits of any~~
31 ~~spaceport territory as set forth in s. 331.304 are revised so~~

1 ~~as to include within any spaceport territory any areas not~~
2 ~~presently contained within any spaceport territory, the~~
3 ~~authority shall not engage in the business of furnishing~~
4 ~~electric power for sale in such annexed area, unless the~~
5 ~~authority shall offer to purchase from any person who is at~~
6 ~~the time engaged in the business of making, generating, or~~
7 ~~distributing electricity for sale within such annexed area,~~
8 ~~such portion of its electric plant and property suitable and~~
9 ~~used for such business in connection therewith as lies within~~
10 ~~the limits of such annexed area, in a manner consistent with~~
11 ~~law.~~

12 (3)~~(4)~~ The authority shall designate new launch pads
13 outside the present designated spaceport territories by
14 statutory amendment of s. 331.304.

15 Section 8. Subsection (1) of section 331.331, Florida
16 Statutes, is amended to read:

17 331.331 Revenue bonds.--

18 (1) Revenue bonds issued by the authority shall not be
19 deemed revenue bonds issued by the state or its agencies for
20 purposes of s. 11, Art. VII of the State Constitution and ss.
21 215.57-215.83. ~~However, until December 31, 1994, the power of~~
22 ~~the authority to issue revenue bonds shall be limited as~~
23 ~~provided in s. 331.305.~~ The authority shall include in its
24 annual report to the Governor and Legislature, as provided in
25 s. 331.310, a summary of the status of existing and proposed
26 bonding projects.

27 Section 9. Section 331.360, Florida Statutes, is
28 amended to read:

29 331.360 Joint project agreement or assistance.--

30 (1) Notwithstanding any other provision of law, the
31 Department of Transportation may enter into a joint project

1 agreement with, or otherwise assist, the Spaceport Florida
2 Authority as necessary to effectuate the provisions of this
3 chapter and may allocate funds for such purposes in its 5-year
4 work program. However, the department may not fund the
5 administrative or operational costs of the authority.

6 (2) The authority shall develop a spaceport master
7 plan for expansion and modernization of space transportation
8 facilities within spaceport territories as defined in s.
9 331.303(22). The plan shall contain recommended projects to
10 meet current and future commercial, national, and state space
11 transportation requirements, and identify appropriate funding
12 levels and sources. The authority shall submit the plan to any
13 appropriate M.P.O. for review of intermodal impacts. The
14 authority shall submit the spaceport master plan to the
15 Department of Transportation for inclusion within the
16 department's 5-year work program of qualifying aerospace
17 discretionary capacity improvement under ss. 332.001-332.007.
18 The plan shall include recommendations on appropriate sources
19 of revenue that may be developed to contribute to the State
20 Transportation Trust Fund.

21 Section 10. Section 332.001, Florida Statutes, is
22 amended to read:

23 332.001 Aviation and aerospace; powers and duties of
24 the Department of Transportation.--

25 (1) It shall be the duty, function, and responsibility
26 of the Department of Transportation to plan airport systems in
27 this state. In carrying out this duty and responsibility, the
28 department may assist and advise, cooperate, and coordinate
29 with the federal, state, local, or private organizations and
30 individuals in planning such systems of airports.

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1 (2) It shall be the duty, function, and responsibility
2 of the Department of Transportation to promote the further
3 development and improvement of air routes, airport facilities,
4 and landing fields and protect their approaches and to
5 stimulate the development of aviation commerce and air
6 facilities. In carrying out this duty and responsibility, the
7 department may advise and cooperate with municipalities,
8 counties, regional authorities, state agencies, appropriate
9 federal agencies, and interested private individuals and
10 groups.

11 (3) It shall be the duty, function, and responsibility
12 of the Department of Transportation to promote the further
13 development and improvement of aerospace transportation
14 facilities, to address intermodal requirements and impacts of
15 the launch ranges, spaceports, and other aerospace
16 transportation facilities, to assist in the development of
17 joint-use facilities and technology that support aviation and
18 aerospace operations, and to promote cooperative efforts
19 between federal and state government entities to improve space
20 transportation capacity and efficiency. In carrying out this
21 duty and responsibility, the department may assist and advise,
22 cooperate, and coordinate with federal, state, local, or
23 private organizations and individuals.

24 Section 11. Section 332.004, Florida Statutes, is
25 amended to read:

26 332.004 Definitions of terms used in ss.
27 332.003-332.007.--As used in ss. 332.003-332.007, the term:

28 (1) "Aerospace" means the science and art of space
29 flight and includes, but is not limited to, transportation to
30 and from orbital and suborbital locations by expendable launch
31 vehicles, sounding rockets, the space transportation system,

1 and other reusable launch vehicles; the operation,
2 construction, repair, or maintenance of spacecraft, spacecraft
3 engines, and accessories; the design, establishment,
4 construction, extension, operation, improvement, repair, or
5 maintenance of spaceports or other space tracking facilities;
6 and instruction in space flight or ground subjects pertaining
7 thereto.

8 (2) "Aerospace discretionary capacity improvement
9 projects" means capacity improvements which enhance space
10 transportation capacity at spaceports which have had one or
11 more orbital or suborbital flights during the previous
12 calendar year or have an agreement in writing for installation
13 of one or more regularly scheduled orbital or suborbital
14 flights upon the commitment of funds for stipulated spaceport
15 capital improvements.

16 (3) "Aircraft" means any motor vehicle or contrivance
17 now known, or hereafter invented, which is used or designed
18 for navigation of or flight in the air, except a parachute or
19 other contrivance designed for such navigation but used
20 primarily as safety equipment.

21 (4)~~(1)~~ "Airport" means any area of land or water, or
22 any manmade object or facility located therein, which is used,
23 or intended for public use, for the landing and takeoff of
24 aircraft, and any appurtenant areas which are used, or
25 intended for public use, for airport buildings or other
26 airport facilities or rights-of-way.

27 (5)~~(2)~~ "Airport hazard" means any structure or object
28 of natural growth located on or in the vicinity of a
29 public-use airport, or any use of land near such airport,
30 which obstructs or causes an obstruction to the airspace
31 required for the flight of aircraft in landing or taking off

1 at such airport or is otherwise hazardous to landing or taking
2 off at such airport.

3 (6)~~(3)~~ "Airport master planning" means the
4 development, for planning purposes, of information and
5 guidance to determine the extent, type, and nature of
6 development needed at a specific airport.

7 (7)~~(4)~~ "Airport or aviation development project" or
8 "development project" means any activity associated with the
9 design, construction, purchase, improvement, or repair of a
10 public-use airport or portion thereof, including, but not
11 limited to: the purchase of equipment; the acquisition of
12 land, including land required as a condition of a federal,
13 state, or local permit or agreement for environmental
14 mitigation; the removal, lowering, relocation, marking, and
15 lighting of airport hazards; the installation of navigation
16 aids used by aircraft in landing at or taking off from a
17 public airport; the installation of safety equipment required
18 by rule or regulation for certification of the airport under
19 s. 612 of the Federal Aviation Act of 1958, and amendments
20 thereto; and the improvement of access to the airport by road
21 or rail system which is on airport property and which is
22 consistent, to the maximum extent feasible, with the approved
23 local government comprehensive plan of the units of local
24 government in which the airport is located.

25 (8)~~(5)~~ "Airport or aviation discretionary capacity
26 improvement projects" or "discretionary capacity improvement
27 projects" means capacity improvements which are consistent, to
28 the maximum extent feasible, with the approved local
29 government comprehensive plans of the units of local
30 government in which the airport is located, and which enhance
31 intercontinental capacity at airports which:

1 (a) Are international airports with United States
2 Customs Service;

3 (b) Had one or more regularly scheduled
4 intercontinental flights during the previous calendar year or
5 have an agreement in writing for installation of one or more
6 regularly scheduled intercontinental flights upon the
7 commitment of funds for stipulated airport capital
8 improvements; and

9 (c) Have available or planned public ground
10 transportation between the airport and other major
11 transportation facilities.

12 (9) "Aviation" means the science and art of flight and
13 includes, but is not limited to, transportation by aircraft;
14 the operation, construction, repair, or maintenance of
15 aircraft, aircraft power plants, and accessories, including
16 the repair, packing, and maintenance of parachutes; the
17 design, establishment, construction, extension, operation,
18 improvement, repair, or maintenance of airports or other air
19 navigation facilities; and instruction in flying or ground
20 subjects pertaining thereto.

21 (10)~~(6)~~ "Aviation and aerospace system planning" means
22 the development of comprehensive aviation and aerospace plans
23 designed to achieve and facilitate the establishment of a
24 statewide, integrated aviation aerospace system in order to
25 meet the current and future aviation and aerospace needs of
26 this state.

27 (11)~~(7)~~ "Eligible agency" means a political
28 subdivision of the state or an authority which owns or seeks
29 to develop a public-use airport.

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1 (12)~~(8)~~ "Federal aid" means funds made available from
2 the Federal Government for the accomplishment of airport or
3 aviation development projects.

4 (13)~~(9)~~ "Florida airport system" means all existing
5 public-use airports that are owned and operated within the
6 state and those public-use airports which will be developed
7 and made operational in the future.

8 (14)~~(10)~~ "Landing area" means that area used or
9 intended to be used for the landing, takeoff, or surface
10 maneuvering of an aircraft.

11 (15)~~(11)~~ "Planning agency" means any agency authorized
12 by the laws of the state or by a political subdivision to
13 engage in area planning for the areas in which assistance
14 under this act is contemplated.

15 (16)~~(12)~~ "Project" means a project for the
16 accomplishment of airport or aviation development or airport
17 master planning.

18 (17)~~(13)~~ "Project cost" means any cost involved in
19 accomplishing a project.

20 (18)~~(14)~~ "Public-use airport" means any publicly owned
21 airport which is used or to be used for public purposes.

22 (19) "Spaceport" shall have the same meaning as
23 defined in s. 331.303(19).

24 (20)~~(15)~~ "Sponsor" means any eligible agency which,
25 either individually or jointly with one or more eligible
26 agencies, submits to the department an application for
27 financial assistance for an airport development project in
28 accordance with this act, or the Spaceport Florida Authority
29 for the submission of a spaceport development project.

30 Section 12. Section 332.006, Florida Statutes, is
31 amended to read:

1 332.006 Duties and responsibilities of the Department
2 of Transportation.--The Department of Transportation shall,
3 within the resources provided pursuant to chapter 216:
4 (1) Provide coordination and assistance for the
5 development of a viable aviation and aerospace system in this
6 state. To support the system, a statewide aviation and
7 aerospace system plan shall be developed and periodically
8 updated which summarizes 5-year, 10-year, and 20-year airport,
9 and aviation, and aerospace needs within the state. The
10 statewide aviation and aerospace system plan shall be
11 consistent with the goals of the Florida Transportation Plan
12 developed pursuant to s. 339.155. The statewide aviation and
13 aerospace system plan shall not preempt local airport master
14 plans adopted in compliance with federal and state
15 requirements or spaceport master plans adopted by the
16 Spaceport Florida Authority.
17 (2) Advise and assist the Governor in all aviation and
18 aerospace matters.
19 (3)(a) Upon request, assist airport sponsors, both
20 financially and technically, in airport master planning.
21 (b) Upon request, assist the Spaceport Florida
22 Authority, both financially and technically in spaceport
23 planning.
24 (4) Upon request, provide financial and technical
25 assistance to public agencies which operate public-use
26 airports or spaceports by making department personnel and
27 department-owned facilities and equipment available on a
28 cost-reimbursement basis to such agencies for special needs of
29 limited duration. The requirement relating to reimbursement
30 of personnel costs may be waived by the department in those
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1 cases in which the assistance provided by its personnel was of
2 a limited nature or duration.

3 (5) Participate in research and development programs
4 relating to airports and aerospace.

5 (6) Administer department participation in the program
6 of aviation, aerospace, and airport grants as provided for in
7 ss. 332.003-332.007.

8 (7) Develop, promote, and distribute supporting
9 information and educational services.

10 (8) Encourage the maximum allocation of federal funds
11 to local airport and spaceport projects in this state.

12 (9) Support the development of land located within the
13 boundaries of airports and spaceports for the purpose of
14 industrial or other uses compatible with airport and spaceport
15 operations with the objective of assisting airports and
16 spaceports in this state to become fiscally self-supporting.
17 Such assistance may include providing state moneys on a
18 matching basis to airport sponsors and the Spaceport Florida
19 Authority for capital improvements, including, but not limited
20 to, fixed-base operation facilities, parking areas, industrial
21 park utility systems, and road and rail transportation systems
22 which are on airport property.

23 Section 13. Section 332.007, Florida Statutes, is
24 amended to read:

25 332.007 Administration and financing of aviation, and
26 airport, and aerospace programs and projects; state plan.--

27 (1) Federal funding of individual local airport
28 projects shall continue to be wholly between the local airport
29 sponsors and the appropriate federal agencies; however, the
30 Department of Transportation is authorized to receive federal
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1 grants for statewide projects when no local sponsor is
2 available.

3 (2)(a) The Department of Transportation shall prepare
4 and continuously update an aviation, ~~and~~ airport, and
5 aerospace work program in accordance with subsections (6), ~~and~~
6 (7), and (8) based on a collection of the local sponsors'
7 proposed projects to be included in the work program of the
8 department developed pursuant to s. 339.135. The airport work
9 program shall separately identify development projects and
10 discretionary capacity improvement projects.

11 (b) The aviation and airport work program shall be
12 consistent with the statewide aviation and aerospace system
13 plan and, to the maximum extent feasible, consistent with
14 approved local government comprehensive plans. Projects
15 involving funds administered by the department to be
16 undertaken and implemented by the airport sponsor shall be
17 included in the aviation and airport work program.

18 (3) Assistance pursuant to the provisions of this
19 section shall only be provided for projects which are included
20 in the department's adopted work program developed pursuant to
21 s. 339.135.

22 (4)(a) The annual legislative budget request for
23 aviation and airport development projects shall be based on
24 the funding required for development projects in the aviation,
25 ~~and~~ airport, and aerospace work program. The department shall
26 provide priority funding in support of the planning, design,
27 and construction of proposed projects by local sponsors, with
28 special emphasis on projects for runways and taxiways,
29 including the painting and marking of runways and taxiways,
30 lighting, other related airside activities, and airport access
31 transportation facility projects on airport property.

1 (b) Projects which provide for construction of an
2 automatic weather observation station are eligible for the use
3 of funds provided for herein.

4 (c) No single airport shall secure airport or aviation
5 development project funds in excess of 25 percent of the total
6 airport or aviation development project funds available in any
7 given budget year. However, any airport which receives
8 discretionary capacity improvement project funds in a given
9 fiscal year shall not receive greater than 10 percent of total
10 aviation and airport development project funds appropriated in
11 that fiscal year.

12 (d) Unless prohibited by the appropriations act or
13 general legislation, the department may transfer funds for an
14 airport and aviation development project to other airport and
15 aviation development projects to maximize the aviation
16 services or federal aid available to this state.

17 (5) Only those projects or programs provided for in
18 this act that will contribute to the implementation of the
19 state aviation and aerospace system plan, that are consistent
20 with and will contribute to the implementation of any airport
21 or spaceport master plan or layout plan, and that are
22 consistent, to the maximum extent feasible, with the approved
23 local government comprehensive plans of the units of
24 government in which the airport or spaceport is located are
25 eligible for the expenditure of state funds in accordance with
26 fund participation rates and priorities established herein.

27 (6) Subject to the availability of appropriated funds,
28 the department may participate in the capital cost of eligible
29 public airport and aviation development projects in accordance
30 with the following rates, unless otherwise provided in the
31

1 General Appropriations Act or the substantive bill
2 implementing the General Appropriations Act:
3 (a) The department may fund up to 50 percent of the
4 portion of eligible project costs which are not funded by the
5 Federal Government, except that the department may initially
6 fund up to 75 percent of the cost of land acquisition for a
7 new airport or for the expansion of an existing airport which
8 is owned and operated by a municipality, a county, or an
9 authority, and shall be reimbursed to the normal statutory
10 project share when federal funds become available or within 10
11 years after the date of acquisition, whichever is earlier.
12 Due to federal budgeting constraints, the department may also
13 initially fund the federal portion of eligible project costs
14 subject to:
15 1. The department receiving adequate assurance from
16 the Federal Government or local sponsor that this amount will
17 be reimbursed to the department; and
18 2. The department having adequate funds in the work
19 program to fund the project.
20
21 Such projects must be contained in the Federal Government's
22 Airport Capital Improvement Program, and the Federal
23 Government must fund, or have funded, the first year of the
24 project.
25 (b) The department may retroactively reimburse cities,
26 counties, or airport authorities up to 50 percent of the
27 nonfederal share for land acquisition when such land is needed
28 for airport safety, expansion, tall structure control, clear
29 zone protection, or noise impact reduction. No land purchased
30 prior to July 1, 1990, or purchased prior to executing the
31

1 required department agreements shall be eligible for
2 reimbursement.

3 (c) When federal funds are not available, the
4 department may fund up to 80 percent of master planning and
5 eligible aviation development projects at publicly owned,
6 publicly operated airports. Such funding is limited to
7 airports that have no scheduled commercial service.

8 (d) The department is authorized to fund up to 100
9 percent of the cost of an eligible project that is statewide
10 in scope or that involves more than one county where no other
11 governmental entity or appropriate jurisdiction exists.

12 (7) Subject to the availability of appropriated funds
13 in addition to aviation fuel tax revenues, the department may
14 participate in the capital cost of eligible public airport and
15 aviation discretionary capacity improvement projects. The
16 annual legislative budget request shall be based on the
17 funding required for discretionary capacity improvement
18 projects in the aviation, and airport, and aerospace work
19 program.

20 (a) The department shall provide priority funding in
21 support of:

22 1. Land acquisition which provides additional capacity
23 at the qualifying international airport or at that airport's
24 supplemental air carrier airport.

25 2. Runway and taxiway projects that add capacity or
26 are necessary to accommodate technological changes in the
27 aviation industry.

28 3. Airport access transportation projects that improve
29 direct airport access and are approved by the airport sponsor.

30 4. International terminal projects that increase
31 international gate capacity.

1 (b) No single airport shall secure discretionary
2 capacity improvement project funds in excess of 50 percent of
3 the total discretionary capacity improvement project funds
4 available in any given budget year.

5 (c) Unless prohibited by the General Appropriations
6 Act or by law, the department may transfer funds within each
7 category of the airport and aviation discretionary capacity
8 improvement program to maximize the aviation services or
9 federal aid available to this state.

10 (d) The department may fund up to 50 percent of the
11 portion of eligible project costs which are not funded by the
12 Federal Government except that the department may initially
13 fund up to 75 percent of the cost of land acquisition for a
14 new airport or for the expansion of an existing airport which
15 is owned and operated by a municipality, a county, or an
16 authority, and shall be reimbursed to the normal statutory
17 project share when federal funds become available or within 10
18 years after the date of acquisition, whichever is earlier.

19 (8) Subject to the availability of appropriated funds,
20 the department may participate in the capital cost of eligible
21 aerospace discretionary capacity improvement projects. The
22 annual legislative budget request shall be based on the
23 funding required for aerospace discretionary capacity
24 improvement projects in the aviation, airport, and aerospace
25 work program.

26 Section 14. Section 332.009, Florida Statutes, is
27 created to read:

28 332.009 Limitation on operation of chapter.--Nothing
29 in this chapter shall be construed to authorize expenditure of
30 aviation fuel tax revenues on space transportation projects.

31

1 Nothing in this chapter shall be construed to limit the
2 department's authority under s. 331.360.

3 Section 15. Subsection (31) of section 334.03, Florida
4 Statutes, is amended to read:

5 334.03 Definitions.--When used in the Florida
6 Transportation Code, the term:

7 (31) "Transportation facility" means any means for the
8 transportation of people or ~~and~~ property from place to place
9 which is constructed, operated, or maintained in whole or in
10 part from public funds. The term includes the property or
11 property rights, both real and personal, which have been or
12 may be established by public bodies for the transportation of
13 people or ~~and~~ property from place to place.

14 Section 16. Paragraph (d) of subsection (2) of section
15 339.155, Florida Statutes, is amended, paragraphs (w) and (x)
16 of subsection (2) are redesignated as paragraphs (x) and (y),
17 respectively, and a new paragraph (w) is added to subsection
18 (2) of said section, to read:

19 339.155 Transportation planning.--The department shall
20 develop and annually update a statewide transportation plan,
21 to be known as the Florida Transportation Plan. The plan
22 shall be designed so as to be easily read and understood by
23 the general public.

24 (2) DEVELOPMENT CRITERIA.--The Florida Transportation
25 Plan shall consider the needs of the entire state
26 transportation system, examine the use of all modes of
27 transportation to effectively and efficiently meet such needs,
28 and provide for the interconnection of all types of modes in a
29 comprehensive intermodal transportation system. In developing
30 the Florida Transportation Plan, the department shall consider
31 the following:

1 (d) International border crossings and access to
2 ports, airports, spaceports, intermodal transportation
3 facilities, major freight distribution routes, national parks,
4 recreation and scenic areas, monuments and historic sites, and
5 military installations.

6 (w) The spaceport master plan approved by the
7 Spaceport Florida Authority.

8 Section 17. Paragraph (a) of subsection (2), paragraph
9 (b) of subsection (5), paragraph (a) of subsection (6),
10 paragraphs (a) and (c) of subsection (7), and paragraph (a) of
11 subsection (9) of section 339.175, Florida Statutes, 1998
12 Supplement, are amended to read:

13 339.175 Metropolitan planning organization.--It is the
14 intent of the Legislature to encourage and promote the
15 development of transportation systems embracing various modes
16 of transportation in a manner that will maximize the mobility
17 of people and goods within and through urbanized areas of this
18 state and minimize, to the maximum extent feasible, and
19 together with applicable regulatory government agencies,
20 transportation-related fuel consumption and air pollution. To
21 accomplish these objectives, metropolitan planning
22 organizations, referred to in this section as M.P.O.'s, shall
23 develop, in cooperation with the state, transportation plans
24 and programs for metropolitan areas. Such plans and programs
25 must provide for the development of transportation facilities
26 that will function as an intermodal transportation system for
27 the metropolitan area. The process for developing such plans
28 and programs shall be continuing, cooperative, and
29 comprehensive, to the degree appropriate, based on the
30 complexity of the transportation problems.

31 (2) VOTING MEMBERSHIP.--

1 (a) The voting membership of an M.P.O. shall consist
2 of not fewer than 5 or more than 19 apportioned members, the
3 exact number to be determined on an equitable
4 geographic-population ratio basis by the Governor, based on an
5 agreement among the affected units of general-purpose local
6 government as required by federal rules and regulations. The
7 Governor, in accordance with 23 U.S.C. s. 134, as amended by
8 the Intermodal Surface Transportation Efficiency Act of 1991,
9 may also provide for M.P.O. members who represent
10 municipalities to alternate with representatives from other
11 municipalities within the designated urban area that do not
12 have members on the M.P.O. County commission members shall
13 compose not less than one-third of the M.P.O. membership,
14 except for an M.P.O. with more than 15 members located in a
15 county with a five-member county commission or an M.P.O. with
16 19 members located in a county with no more than 6 county
17 commissioners, in which case county commission members may
18 compose less than one-third percent of the M.P.O. membership,
19 but all county commissioners must be members. All voting
20 members shall be elected officials of general-purpose
21 governments, except that an M.P.O. may include, as part of its
22 apportioned voting members, a member of a statutorily
23 authorized planning board,~~or~~ an official of an agency that
24 operates or administers a major mode of transportation, or an
25 official of the Spaceport Florida Authority. In metropolitan
26 areas in which authorities or other agencies have been, or may
27 be, created by law to perform transportation functions that
28 are not under the jurisdiction of a general-purpose local
29 government represented on the M.P.O., they shall be provided
30 voting membership on the M.P.O. The county commission shall
31 compose not less than 20 percent of the M.P.O. membership if

1 an official of an agency that operates or administers a major
2 mode of transportation has been appointed to an M.P.O.

3 (5) POWERS, DUTIES, AND RESPONSIBILITIES.--The powers,
4 privileges, and authority of an M.P.O. are those specified in
5 this section or incorporated in an interlocal agreement
6 authorized under s. 163.01. Each M.P.O. shall perform all
7 acts required by federal or state laws or rules, now and
8 subsequently applicable, which are necessary to qualify for
9 federal aid. It is the intent of this section that each M.P.O.
10 shall be involved in the planning and programming of
11 transportation facilities, including, but not limited to,
12 airports, intercity and high-speed rail lines, seaports, and
13 intermodal facilities, to the extent permitted by state or
14 federal law.

15 (b) In developing the long-range transportation plan
16 and the transportation improvement program required under
17 paragraph (a), each M.P.O. must, at a minimum, consider:

18 1. The preservation of existing transportation
19 facilities and, where practical, ways to meet transportation
20 needs by using existing facilities more efficiently;

21 2. The consistency of transportation planning with
22 applicable federal, state, and local energy conservation
23 programs, goals, and objectives;

24 3. The need to relieve congestion and prevent
25 congestion from occurring where it does not yet occur;

26 4. The likely effect of transportation policy
27 decisions on land use and development and the consistency of
28 transportation plans and programs with all applicable
29 short-term and long-term land use and development plans;

30 5. The programming of transportation enhancement
31 activities as required by federal law;

- 1 6. The effect of all transportation projects to be
2 undertaken in the metropolitan area, without regard to whether
3 such projects are publicly funded;
- 4 7. The provision of access to seaports, airports,
5 spaceports, intermodal transportation facilities, major
6 freight distribution routes, national and state parks,
7 recreation areas, monuments and historic sites, and military
8 installations;
- 9 8. The need for roads within the metropolitan area to
10 efficiently connect with roads outside the metropolitan area;
- 11 9. The transportation needs identified through the use
12 of transportation management systems required by federal or
13 state law;
- 14 10. The preservation of rights-of-way for construction
15 of future transportation projects, including the
16 identification of unused rights-of-way that may be needed for
17 future transportation corridors and the identification of
18 corridors for which action is most needed to prevent
19 destruction or loss;
- 20 11. Any available methods to enhance the efficient
21 movement of freight;
- 22 12. The use of life-cycle costs in the design and
23 engineering of bridges, tunnels, or pavement;
- 24 13. The overall social, economic, energy, and
25 environmental effects of transportation decisions;
- 26 14. Any available methods to expand or enhance transit
27 services and increase the use of such services; and
- 28 15. The possible allocation of capital investments to
29 increase security for transit systems.
- 30 (6) LONG-RANGE PLAN.--Each M.P.O. must develop a
31 long-range transportation plan that addresses at least a

1 20-year planning horizon. The plan must include both
2 long-range and short-range strategies and must comply with all
3 other state and federal requirements. The long-range plan must
4 be consistent, to the maximum extent feasible, with future
5 land use elements and the goals, objectives, and policies of
6 the approved local government comprehensive plans of the units
7 of local government located within the jurisdiction of the
8 M.P.O. The approved long-range plan must be considered by
9 local governments in the development of the transportation
10 elements in local government comprehensive plans and any
11 amendments thereto. The long-range plan must, at a minimum:

12 (a) Identify transportation facilities, including, but
13 not limited to, major roadways, airports, seaports,
14 spaceports, commuter rail systems, transit systems, and
15 intermodal or multimodal terminals that will function as an
16 integrated metropolitan transportation system. The long-range
17 plan must give emphasis to those transportation facilities
18 that serve national, statewide, or regional functions, and
19 must consider the goals and objectives identified in the
20 Florida Transportation Plan as provided in s. 339.155.

21
22 In the development of its long-range plan, each M.P.O. must
23 provide affected public agencies, representatives of
24 transportation agency employees, private providers of
25 transportation, other interested parties, and members of the
26 general public with a reasonable opportunity to comment on the
27 long-range plan. The long-range plan must be approved by the
28 M.P.O.

29 (7) TRANSPORTATION IMPROVEMENT PROGRAM.--Each M.P.O.
30 shall, in cooperation with the state and affected public
31 transportation operators, develop a transportation improvement

1 program for the area within the jurisdiction of the M.P.O. In
2 the development of the transportation improvement program,
3 each M.P.O. must provide affected public transit agencies,
4 representatives of transportation agency employees, private
5 providers of transportation, other interested parties, and
6 members of the general public with a reasonable opportunity to
7 comment on the transportation improvement program.

8 (a) Each M.P.O. is responsible for developing,
9 annually, a list of project priorities and a transportation
10 improvement program. The transportation improvement program
11 will be used to initiate federally aided transportation
12 facilities and improvements as well as other transportation
13 facilities and improvements including transit, rail, aviation,
14 aerospace, and port facilities to be funded from the State
15 Transportation Trust Fund within its metropolitan area in
16 accordance with existing and subsequent federal and state laws
17 and rules and regulations related thereto. The transportation
18 improvement program shall be consistent, to the maximum extent
19 feasible, with the approved local government comprehensive
20 plans of the units of local government whose boundaries are
21 within the metropolitan area of the M.P.O.

22 (c) The transportation improvement program must, at a
23 minimum:

24 1. Include projects and project phases to be funded
25 with state or federal funds within the time period of the
26 transportation improvement program and which are recommended
27 for advancement during the next fiscal year and 4 subsequent
28 fiscal years. Such projects and project phases must be
29 consistent, to the maximum extent feasible, with the approved
30 local government comprehensive plans of the units of local
31 government located within the jurisdiction of the M.P.O. For

1 informational purposes, the transportation improvement program
2 shall also include a list of projects to be funded from local
3 or private revenues.

4 2. Include projects within the metropolitan area which
5 are proposed for funding under 23 U.S.C. s. 134 of the Federal
6 Transit Act and which are consistent with the long-range plan
7 developed under subsection (6).

8 3. Provide a financial plan that demonstrates how the
9 transportation improvement program can be implemented;
10 indicates the resources, both public and private, that are
11 reasonably expected to be available to accomplish the program;
12 and recommends any innovative financing techniques that may be
13 used to fund needed projects and programs. Such techniques
14 may include the assessment of tolls, the use of value capture
15 financing, or the use of congestion pricing. The
16 transportation improvement program may include a project or
17 project phase only if full funding can reasonably be
18 anticipated to be available for the project or project phase
19 within the time period contemplated for completion of the
20 project or project phase.

21 4. Group projects and project phases of similar
22 urgency and anticipated staging into appropriate staging
23 periods.

24 5. Indicate how the transportation improvement program
25 relates to the long-range plan developed under subsection (6),
26 including providing examples of specific projects or project
27 phases that further the goals and policies of the long-range
28 plan.

29 6. Indicate whether any project or project phase is
30 inconsistent with an approved comprehensive plan of a unit of
31 local government located within the jurisdiction of the M.P.O.

1 If a project is inconsistent with an affected comprehensive
2 plan, the M.P.O. must provide justification for including the
3 project in the transportation improvement program.

4 7. Indicate how the improvements are consistent, to
5 the maximum extent feasible, with affected seaport,~~and~~
6 airport, and spaceport master plans and with public transit
7 development plans of the units of local government located
8 within the jurisdiction of the M.P.O.

9 (9) AGREEMENTS.--

10 (a) Each M.P.O. shall execute the following written
11 agreements, which shall be reviewed, and updated as necessary,
12 every 5 years:

13 1. An agreement with the department clearly
14 establishing the cooperative relationship essential to
15 accomplish the transportation planning requirements of state
16 and federal law.

17 2. An agreement with the metropolitan and regional
18 intergovernmental coordination and review agencies serving the
19 metropolitan areas, specifying the means by which activities
20 will be coordinated and how transportation planning and
21 programming will be part of the comprehensive planned
22 development of the area.

23 3. An agreement with operators of public
24 transportation systems, including transit systems, commuter
25 rail systems, airports, ~~and~~ seaports, and spaceports,
26 describing the means by which activities will be coordinated
27 and specifying how public transit, commuter rail, aviation,
28 ~~and~~ seaport, and aerospace planning and programming will be
29 part of the comprehensive planned development of the
30 metropolitan area.

31

1 Section 18. Subsection (6) of section 196.012, Florida
2 Statutes, is amended to read:

3 196.012 Definitions.--For the purpose of this chapter,
4 the following terms are defined as follows, except where the
5 context clearly indicates otherwise:

6 (6) Governmental, municipal, or public purpose or
7 function shall be deemed to be served or performed when the
8 lessee under any leasehold interest created in property of the
9 United States, the state or any of its political subdivisions,
10 or any municipality, agency, special district, authority, or
11 other public body corporate of the state is demonstrated to
12 perform a function or serve a governmental purpose which could
13 properly be performed or served by an appropriate governmental
14 unit or which is demonstrated to perform a function or serve a
15 purpose which would otherwise be a valid subject for the
16 allocation of public funds. For purposes of the preceding
17 sentence, an activity undertaken by a lessee which is
18 permitted under the terms of its lease of real property
19 designated as an aviation area on an airport layout plan which
20 has been approved by the Federal Aviation Administration and
21 which real property is used for the administration, operation,
22 business offices and activities related specifically thereto
23 in connection with the conduct of an aircraft full service
24 fixed base operation which provides goods and services to the
25 general aviation public in the promotion of air commerce shall
26 be deemed an activity which serves a governmental, municipal,
27 or public purpose or function. Any activity undertaken by a
28 lessee which is permitted under the terms of its lease of real
29 property designated as a public airport as defined in s.
30 332.004(18)~~(14)~~ by municipalities, agencies, special
31 districts, authorities, or other public bodies corporate and

1 public bodies politic of the state, a spaceport as defined in
2 s. 331.303(19), or which is located in a deepwater port
3 identified in s. 403.021(9)(b) and owned by one of the
4 foregoing governmental units, subject to a leasehold or other
5 possessory interest of a nongovernmental lessee that is deemed
6 to perform an aviation or airport or aerospace or maritime or
7 port purpose or operation shall be deemed an activity that
8 serves a governmental, municipal, or public purpose. The use
9 by a lessee, licensee, or management company of real property
10 or a portion thereof as a convention center, visitor center,
11 sports facility with permanent seating, concert hall, arena,
12 stadium, park, or beach is deemed a use that serves a
13 governmental, municipal, or public purpose or function when
14 access to the property is open to the general public with or
15 without a charge for admission. If property deeded to a
16 municipality by the United States is subject to a requirement
17 that the Federal Government, through a schedule established by
18 the Secretary of the Interior, determine that the property is
19 being maintained for public historic preservation, park, or
20 recreational purposes and if those conditions are not met the
21 property will revert back to the Federal Government, then such
22 property shall be deemed to serve a municipal or public
23 purpose. The term "governmental purpose" also includes a
24 direct use of property on federal lands in connection with the
25 Federal Government's Space Exploration Program or the
26 Spaceport Florida Authority. Real property and tangible
27 personal property owned by the Federal Government or the
28 Spaceport Florida Authority and used for defense and space
29 exploration purposes or which is put to a use in support
30 thereof shall be deemed to perform an essential national
31 governmental purpose and shall be exempt. "Owned by the

1 lessee" as used in this chapter does not include personal
2 property, buildings, or other real property improvements used
3 for the administration, operation, business offices and
4 activities related specifically thereto in connection with the
5 conduct of an aircraft full service fixed based operation
6 which provides goods and services to the general aviation
7 public in the promotion of air commerce provided that the real
8 property is designated as an aviation area on an airport
9 layout plan approved by the Federal Aviation Administration.
10 For purposes of determination of "ownership," buildings and
11 other real property improvements which will revert to the
12 airport authority or other governmental unit upon expiration
13 of the term of the lease shall be deemed "owned" by the
14 governmental unit and not the lessee. Providing two-way
15 telecommunications services to the public for hire by the use
16 of a telecommunications facility, as defined in s. 364.02(13),
17 and for which a certificate is required under chapter 364 does
18 not constitute an exempt use for purposes of s. 196.199,
19 unless the telecommunications services are provided by the
20 operator of a public-use airport, as defined in s. 332.004,
21 for the operator's provision of telecommunications services
22 for the airport or its tenants, concessionaires, or licensees,
23 or unless the telecommunications services are provided by a
24 public hospital. However, property that is being used to
25 provide such telecommunications services on or before October
26 1, 1997, shall remain exempt, but such exemption expires
27 October 1, 2004.

28 Section 19. Subsection (1) of section 334.27, Florida
29 Statutes, is amended to read:

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1 334.27 Governmental transportation entities; property
2 acquired for transportation purposes; limitation on soil or
3 groundwater contamination liability.--

4 (1) For the purposes of this section, the term
5 "governmental transportation entity" means the department; an
6 authority created pursuant to chapter 343, chapter 348, or
7 chapter 349; airports as defined in s. 332.004(18)~~(14)~~; a port
8 enumerated in s. 311.09(1); the Spaceport Florida Authority
9 created in chapter 331; a county; or a municipality.

10 Section 20. This act shall take effect July 1, 1999.

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